



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB5080

Introduced 2/14/2008, by Rep. George Scully, Jr.

#### SYNOPSIS AS INTRODUCED:

30 ILCS 105/13.2

from Ch. 127, par. 149.2

Amends the State Finance Act. Provides that, immediately after the end of each State fiscal year, the Board of the Chicago Transit Authority must certify to the State Comptroller the cost of providing transit services free of charge to senior citizens in the Metropolitan Region during that fiscal year. Provides that any line item appropriation to the office of the Governor for the next fiscal year shall be reduced by that amount and that amount shall be transferred from the General Revenue Fund to the Chicago Transit Authority. Effective immediately.

LRB095 18700 HLH 44801 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The State Finance Act is amended by changing  
5 Section 13.2 as follows:

6 (30 ILCS 105/13.2) (from Ch. 127, par. 149.2)

7 Sec. 13.2. Transfers among line item appropriations.

8 (a) Transfers among line item appropriations from the same  
9 treasury fund for the objects specified in this Section may be  
10 made in the manner provided in this Section when the balance  
11 remaining in one or more such line item appropriations is  
12 insufficient for the purpose for which the appropriation was  
13 made.

14 (a-1) No transfers may be made from one agency to another  
15 agency, nor may transfers be made from one institution of  
16 higher education to another institution of higher education.

17 (a-2) Except as otherwise provided in this Section,  
18 transfers may be made only among the objects of expenditure  
19 enumerated in this Section, except that no funds may be  
20 transferred from any appropriation for personal services, from  
21 any appropriation for State contributions to the State  
22 Employees' Retirement System, from any separate appropriation  
23 for employee retirement contributions paid by the employer, nor

1 from any appropriation for State contribution for employee  
2 group insurance. During State fiscal year 2005, an agency may  
3 transfer amounts among its appropriations within the same  
4 treasury fund for personal services, employee retirement  
5 contributions paid by employer, and State Contributions to  
6 retirement systems; notwithstanding and in addition to the  
7 transfers authorized in subsection (c) of this Section, the  
8 fiscal year 2005 transfers authorized in this sentence may be  
9 made in an amount not to exceed 2% of the aggregate amount  
10 appropriated to an agency within the same treasury fund. During  
11 State fiscal year 2007, the Departments of Children and Family  
12 Services, Corrections, Human Services, and Juvenile Justice  
13 may transfer amounts among their respective appropriations  
14 within the same treasury fund for personal services, employee  
15 retirement contributions paid by employer, and State  
16 contributions to retirement systems. Notwithstanding, and in  
17 addition to, the transfers authorized in subsection (c) of this  
18 Section, these transfers may be made in an amount not to exceed  
19 2% of the aggregate amount appropriated to an agency within the  
20 same treasury fund.

21 (a-3) Further, if an agency receives a separate  
22 appropriation for employee retirement contributions paid by  
23 the employer, any transfer by that agency into an appropriation  
24 for personal services must be accompanied by a corresponding  
25 transfer into the appropriation for employee retirement  
26 contributions paid by the employer, in an amount sufficient to

1 meet the employer share of the employee contributions required  
2 to be remitted to the retirement system.

3 (b) In addition to the general transfer authority provided  
4 under subsection (c), the following agencies have the specific  
5 transfer authority granted in this subsection:

6 The Department of Healthcare and Family Services is  
7 authorized to make transfers representing savings attributable  
8 to not increasing grants due to the births of additional  
9 children from line items for payments of cash grants to line  
10 items for payments for employment and social services for the  
11 purposes outlined in subsection (f) of Section 4-2 of the  
12 Illinois Public Aid Code.

13 The Department of Children and Family Services is  
14 authorized to make transfers not exceeding 2% of the aggregate  
15 amount appropriated to it within the same treasury fund for the  
16 following line items among these same line items: Foster Home  
17 and Specialized Foster Care and Prevention, Institutions and  
18 Group Homes and Prevention, and Purchase of Adoption and  
19 Guardianship Services.

20 The Department on Aging is authorized to make transfers not  
21 exceeding 2% of the aggregate amount appropriated to it within  
22 the same treasury fund for the following Community Care Program  
23 line items among these same line items: Homemaker and Senior  
24 Companion Services, Alternative Senior Services, Case  
25 Coordination Units, and Adult Day Care Services.

26 The State Treasurer is authorized to make transfers among

1 line item appropriations from the Capital Litigation Trust  
2 Fund, with respect to costs incurred in fiscal years 2002 and  
3 2003 only, when the balance remaining in one or more such line  
4 item appropriations is insufficient for the purpose for which  
5 the appropriation was made, provided that no such transfer may  
6 be made unless the amount transferred is no longer required for  
7 the purpose for which that appropriation was made.

8 The State Board of Education is authorized to make  
9 transfers from line item appropriations within the same  
10 treasury fund for General State Aid and General State Aid -  
11 Hold Harmless, provided that no such transfer may be made  
12 unless the amount transferred is no longer required for the  
13 purpose for which that appropriation was made, to the line item  
14 appropriation for Transitional Assistance when the balance  
15 remaining in such line item appropriation is insufficient for  
16 the purpose for which the appropriation was made.

17 The State Board of Education is authorized to make  
18 transfers between the following line item appropriations  
19 within the same treasury fund: Disabled Student  
20 Services/Materials (Section 14-13.01 of the School Code),  
21 Disabled Student Transportation Reimbursement (Section  
22 14-13.01 of the School Code), Disabled Student Tuition -  
23 Private Tuition (Section 14-7.02 of the School Code),  
24 Extraordinary Special Education (Section 14-7.02b of the  
25 School Code), Reimbursement for Free Lunch/Breakfast Program,  
26 Summer School Payments (Section 18-4.3 of the School Code), and

1 Transportation - Regular/Vocational Reimbursement (Section  
2 29-5 of the School Code). Such transfers shall be made only  
3 when the balance remaining in one or more such line item  
4 appropriations is insufficient for the purpose for which the  
5 appropriation was made and provided that no such transfer may  
6 be made unless the amount transferred is no longer required for  
7 the purpose for which that appropriation was made.

8 (c) The sum of such transfers for an agency in a fiscal  
9 year shall not exceed 2% of the aggregate amount appropriated  
10 to it within the same treasury fund for the following objects:  
11 Personal Services; Extra Help; Student and Inmate  
12 Compensation; State Contributions to Retirement Systems; State  
13 Contributions to Social Security; State Contribution for  
14 Employee Group Insurance; Contractual Services; Travel;  
15 Commodities; Printing; Equipment; Electronic Data Processing;  
16 Operation of Automotive Equipment; Telecommunications  
17 Services; Travel and Allowance for Committed, Paroled and  
18 Discharged Prisoners; Library Books; Federal Matching Grants  
19 for Student Loans; Refunds; Workers' Compensation,  
20 Occupational Disease, and Tort Claims; and, in appropriations  
21 to institutions of higher education, Awards and Grants.  
22 Notwithstanding the above, any amounts appropriated for  
23 payment of workers' compensation claims to an agency to which  
24 the authority to evaluate, administer and pay such claims has  
25 been delegated by the Department of Central Management Services  
26 may be transferred to any other expenditure object where such

1 amounts exceed the amount necessary for the payment of such  
2 claims.

3 (c-1) Special provisions for State fiscal year 2003.  
4 Notwithstanding any other provision of this Section to the  
5 contrary, for State fiscal year 2003 only, transfers among line  
6 item appropriations to an agency from the same treasury fund  
7 may be made provided that the sum of such transfers for an  
8 agency in State fiscal year 2003 shall not exceed 3% of the  
9 aggregate amount appropriated to that State agency for State  
10 fiscal year 2003 for the following objects: personal services,  
11 except that no transfer may be approved which reduces the  
12 aggregate appropriations for personal services within an  
13 agency; extra help; student and inmate compensation; State  
14 contributions to retirement systems; State contributions to  
15 social security; State contributions for employee group  
16 insurance; contractual services; travel; commodities;  
17 printing; equipment; electronic data processing; operation of  
18 automotive equipment; telecommunications services; travel and  
19 allowance for committed, paroled, and discharged prisoners;  
20 library books; federal matching grants for student loans;  
21 refunds; workers' compensation, occupational disease, and tort  
22 claims; and, in appropriations to institutions of higher  
23 education, awards and grants.

24 (c-2) Special provisions for State fiscal year 2005.  
25 Notwithstanding subsections (a), (a-2), and (c), for State  
26 fiscal year 2005 only, transfers may be made among any line

1 item appropriations from the same or any other treasury fund  
2 for any objects or purposes, without limitation, when the  
3 balance remaining in one or more such line item appropriations  
4 is insufficient for the purpose for which the appropriation was  
5 made, provided that the sum of those transfers by a State  
6 agency shall not exceed 4% of the aggregate amount appropriated  
7 to that State agency for fiscal year 2005.

8 (d) Transfers among appropriations made to agencies of the  
9 Legislative and Judicial departments and to the  
10 constitutionally elected officers in the Executive branch  
11 require the approval of the officer authorized in Section 10 of  
12 this Act to approve and certify vouchers. Transfers among  
13 appropriations made to the University of Illinois, Southern  
14 Illinois University, Chicago State University, Eastern  
15 Illinois University, Governors State University, Illinois  
16 State University, Northeastern Illinois University, Northern  
17 Illinois University, Western Illinois University, the Illinois  
18 Mathematics and Science Academy and the Board of Higher  
19 Education require the approval of the Board of Higher Education  
20 and the Governor. Transfers among appropriations to all other  
21 agencies require the approval of the Governor.

22 The officer responsible for approval shall certify that the  
23 transfer is necessary to carry out the programs and purposes  
24 for which the appropriations were made by the General Assembly  
25 and shall transmit to the State Comptroller a certified copy of  
26 the approval which shall set forth the specific amounts

1 transferred so that the Comptroller may change his records  
2 accordingly. The Comptroller shall furnish the Governor with  
3 information copies of all transfers approved for agencies of  
4 the Legislative and Judicial departments and transfers  
5 approved by the constitutionally elected officials of the  
6 Executive branch other than the Governor, showing the amounts  
7 transferred and indicating the dates such changes were entered  
8 on the Comptroller's records.

9 (e) The State Board of Education, in consultation with the  
10 State Comptroller, may transfer line item appropriations for  
11 General State Aid from the Common School Fund to the Education  
12 Assistance Fund.

13 (f) Immediately after the end of each State fiscal year,  
14 the Board of the Chicago Transit Authority must certify to the  
15 State Comptroller the cost of providing transit services free  
16 of charge to senior citizens in the Metropolitan Region during  
17 that fiscal year as required by Public Act 95-0708. Line item  
18 appropriations to the Office of the Governor for the next  
19 fiscal year shall be reduced by that total amount. On or after  
20 August 1 of the next fiscal year, the State Treasurer shall  
21 transfer that amount from the General Revenue Fund to the  
22 Chicago Transit Authority.

23 (Source: P.A. 94-839, eff. 6-6-06; 95-707, eff. 1-11-08.)

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law.